

**MINUTES
CITY OF DOVER
PUBLIC HEARING/COUNCIL MEETING
THURSDAY November 30, 2012 @ 7:00 p.m.
DOVER CITY HALL
699 LAKESHORE AVENUE, DOVER, IDAHO**

CALL TO ORDER

Mayor Curless called the November 30, 2012 City Council Meeting to order at 7:13 p.m.

Present at this meeting:

Council Members: Marguerite Burge, Dave Darling, Annie Shaha and Denise Travis,
and Stephen Snedden (City Attorney)

Public Present: See Sign-in Sheet.

Pledge of Allegiance

Public Comment: Mayor Curless announced that the public comment time is 3 minutes per person. Additional comments on an already presented topic must be limited to new or additional information.

Councilwoman Peggy Burge read letter regarding cancellation of public hearing.

Sharon Strand read letter expressing concern about the existence of only one entry/exit point to the City of Dover.

Bill Strand spoke of concerns with the City Clerk. He then spoke of hearing the Mayor tell residents, before the meeting, that their water rates would go up \$6 with the change in billing. Mr. Strand questioned where this information was coming from, as his calculations show most will have a decrease in rates.

Lorin Young spoke on water rates, the City Clerk, and an overall concern the Council needs to come together to work for the city.

Councilwoman Travis asked when the Council would reschedule the water rate hearing. It will be put on agenda for December to have in January. Councilwoman Travis also asked that emergency preparedness be put on December agenda.

Councilwoman Shaha moved the Council convene in executive session to consider personnel matters pursuant to Idaho Code § 67-2345, subsection 1 (b) "To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent." Councilwoman Burge seconded the motion.

Roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried. The Public was asked to leave City Hall and the executive session convened at 7:30 pm.

A motion was made by Councilman Darling to close the executive session portion of the meeting at 8:42 pm, seconded by Peggy Burge, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried and no action was taken nor any decisions made during the executive session.

At 8:50 pm the Council meeting reconvened with the public invited back in to City Hall.

Councilwoman Shaha moved for the removal of the City Clerk as an appointed officer of the City pursuant to Idaho State Code § 50-206. The motion was seconded by Councilwoman Burge.

Roll Call Vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried.

ADJOURNMENT

A motion was made by Councilman Darling to adjourn the Council Meeting, Councilwoman Burge seconded, all in favor, motion carried.

Mayor Curless adjourned the November 30th Council Meeting at 9:00 p.m.

Annie Shaha, Councilwoman

IHD REPORT FOR DOVER
NOVEMBER 2012

Parts of Pine St were watered during the summer months to keep the dust suppressant fresh. Branches were cut up and hauled away after several wind storms.

Signs were replaced, repaired, or re-installed as needed, at the direction of the City.

Traffic counters were installed on both ends of Pine St. The counts are not retrievable as the program is no longer compatible with the new software installed in the computers. We will traffic counts ready for the December meeting using different counters.

IHD mowed for the DOVER BRIDGE dedication. We also provided some traffic control and security during the dedication. We are all very glad to have the bridge replaced and finally see it finished.

Potholes were "bladed" out today on Pine St., Syringa and Rocky Point roads.

Submitted by

Marj Tilley

Chairperson

Independent Highway District



Tate Engineering, Inc.

Engineering and Land Surveying

November 5, 2012

City of Dover
P. O. Box 115
Dover, Idaho 83825

RE: **Progress Report – November Council Meeting**

- 1) Worked with Patrick and Jeff for Operator Training at WWTP. The purpose is to get more people trained for backup operations.
- 2) Reviewed questions on rate presentation in order to finalize proposal.
- 3) Bid and awarded Waterline Extension project. It should start this week to complete the system tie in funded by Al Czap.
- 4) Submitted extension to IDWR for intake project, completed IDEQ revisions to plans we need final electrical plans to bid Intake project.
- 5) Submitted to IDEQ final revisions to facility plan needed for sanitary lift.

Sincerely,

Robert M. Tate, P.E.

Tate Engineering, Inc.

www.tate-engineering.com ♦ phone 208.676.8708 ♦ fax 208.667.2129
1103 N 4th Street ♦ Coeur d'Alene ♦ Idaho ♦ 83814

T:\PROJECTS\City of Dover\11084 General Services\11084 General Services\Council Meeting\11084.docx

DRAFT

**MINUTES
CITY OF DOVER
PUBLIC HEARING/COUNCIL MEETING
THURSDAY November 29, 2012 @ 7:00 p.m.
DOVER CITY HALL
699 LAKESHORE AVENUE, DOVER, IDAHO**

CALL TO ORDER

Mayor Curless called the November 30, 2012 City Council Meeting to order at 7:13 p.m.

Present at this meeting:

Council Members: Marguerite Burge, Dave Darling, Annie Shaha and Denise Travis,
and Stephen Snedden (City Attorney)

Public Present: See Sign-in Sheet.

Pledge of Allegiance

Public Comment: Mayor Curless announced that the public comment time is 3 minutes per person. Additional comments on an already presented topic must be limited to new or additional information.

Councilwoman Peggy Burge read letter regarding cancellation of public hearing.

Sharon Strand read letter expressing concern about the existence of only one entry/exit point to the City of Dover.

Bill Strand spoke of concerns with the City Clerk. He then spoke of hearing the Mayor tell residents, before the meeting, that their water rates would go up \$6 with the change in billing. Mr. Strand questioned where this information was coming from, as his calculations show most will have a decrease in rates.

Lorin Young spoke on water rates, the City Clerk, and an overall concern the Council needs to come together to work for the city.

Councilwoman Travis asked when the Council would reschedule the water rate hearing. It will be put on agenda for December to have in January. Councilwoman Travis also asked that emergency preparedness be put on December agenda.

Councilwoman Shaha moved the Council convene in executive session to consider personnel matters pursuant to Idaho Code § 67-2345, subsection 1 (b) "To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent." Councilwoman Burge seconded the motion.

Roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried. The Public was asked to leave City Hall and the executive session convened at 7:30 pm.

A motion was made by Councilman Darling to close the executive session portion of the meeting at 8:42 pm, seconded by Peggy Burge, all in favor by roll call vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried and no action was taken nor any decisions made during the executive session.

At 8:50 pm the Council meeting reconvened with the public invited back in to City Hall.

Councilwoman Shaha moved for the removal of the City Clerk as an appointed officer of the City pursuant to Idaho State Code § 50-206. The motion was seconded by Councilwoman Burge.

Roll Call Vote:

Councilwoman Shaha	Aye
Councilman Darling	Aye
Councilwoman Travis	Aye
Councilwoman Burge	Aye

The motion carried.

ADJOURNMENT

A motion was made by Councilman Darling to adjourn the Council Meeting, Councilwoman Burge seconded, all in favor, motion carried.

Mayor Curless adjourned the November 30th Council Meeting at 9:00 p.m.

Annie Shaha, Councilwoman

CITY OF DOVER

MEETING DATE: 11.1.12

SIGN-IN SHEET

SPC. MTG.

Please Print
NAME

ADDRESS

Marg Tilley

1HD

**MINUTES
CITY OF DOVER
SPECIAL COUNCIL MEETING
Thursday November 1, 2012 @ 7:00 p.m.
DOVER CITYHALL
699 LAKESHORE AVENUE, DOVER, IDAHO**

CALL TO ORDER

Mayor Curless called the Special Council Meeting of November 1, 2012 to order at 7:00 p.m.

Present at this meeting:

Council Members: Annie Shaha, Dave Darling, Denise Travis, Marguerite Burge by phone.

Staff: Kym Holbert (City Clerk).

Public Present: See Sign-in Sheet

Mayor Curless stated the reason for calling the Special Meeting was for an ICRMP Presentation by Jim McNall, regarding Open Meeting Laws and to appoint a City Attorney.

Pledge of Allegiance was recited.

Mayor turned the floor over to Jim McNall. Mr. McNall started the Presentation regarding roles and responsibilities, open meeting laws, conflict of interest stuff, minutes, etc. Mr. McNall asked the Mayor if the Presentation could be open to the public as well, it was agreed by the Mayor.

Councilwoman Travis asked if there was a 2 minute time for the public to speak at this meeting and would that be before or after the presentation? The Mayor answered that we really hadn't set that up since this wasn't a Regular Meeting.

Councilwoman Travis stated that she was just asking, and is that public procedure, because I know we have public members here. The Mayor asked Mr. McNall if that would be ok.

The Mayor stated that at a Regular Meeting we allow 3 minutes for anyone to speak on a subject that they are interested in, but Council cannot vote on it at this time until it has been put on an Agenda, if there is anyone that wishes to speak, you are welcome to come up.

One citizen spoke for approximately 9 minutes regarding their opposition to Tevis Hull being appointed City Attorney.

Tevis Hull then announced to the Mayor and Council that he was removing himself from consideration for Dover City Attorney and asked to be excused. Mr. Hull left the meeting at approximately 7:15 pm.

There were no other public comments.

Mr. McNall of ICRMP started the PowerPoint Presentation regarding Open Meeting Law. The PowerPoint Presentation was done by approximately 8:30 pm. Council, Mayor and staff thanked him for his time.

Discussion was held regarding the Mayor's 10-day deadline for new attorney appointments. The Mayor asked the Clerk if week-ends were counted. The Clerk answered that we did not count the week-ends.

The Mayor stated that we need to call Councilwoman Burge, the Clerk called her and she was on the line by approximately 8:45pm. Mayor Curless stated it's been decided that I missed the appointment time, Tevis Hull has withdrawn his consideration for it, so that's where we are at this point in time and no motions have been made. We haven't moved forward on it, we needed to have you in on the conversation at this time to hear everything and be aware of it. Councilwoman Shaha and Councilwoman Travis would like to have Stephen Snedden considered at this time.

Councilwoman Burge's asked if he was available or if we had anything from him?

The Mayor answered that he is here and let Councilwoman Burge know that the Clerk was looking at the calendar right now.

Councilwoman Burge asked what about the appointment time?

The Clerk answered that Councilwoman Shaha is counting the week-ends, which would make it the 18th, the Mayor and I did not count the week-ends, just the work days Monday thru Friday. Councilwoman Travis stated that she counted the days with Jim McNall from ICRMP and got his opinion professionally, and the Mayor missed that deadline date.

Mayor asked Mr. McNall if 3 Council needed to call another meeting, or if they could do it at this meeting?

Councilwoman Burge stated not if it's not on the Agenda.

Councilwoman Shaha stated that it is on the Agenda. Clerk stated that the Agenda says "Mayoral Appointment".

Jim McNall stated that we have a lot of questions, if you missed the deadline and did another appointment; does that wipe out the other one? What you need to do is appoint an attorney, and then have them go back and look to see if they are legally appointed, at some point, what the process was.

Mr. McNall stated that it's on the Agenda, so it would "safe" to proceed at this meeting.

Councilwoman Burge stated that it did not state on the Agenda who the appointment was for, right? Clerk answered no. Councilwoman Burge then agreed to move forward.

Stephen Snedden, Attorney at Law was invited to come forward to answer Council questions. Mr. Snedden thanked Council and the Mayor for the opportunity.

Councilwoman Travis asked Mr. Snedden to please tell us about your municipality experience. Mr. Snedden shared with Council that he has worked for many public agencies, to include but not limited to Urban Renewal, Fire Districts, Economic Development, Sewer Districts and individuals that work for public agencies. Mr. Snedden also stated that he has a lot of experience in litigation re: land use issues, bulk real property, annexations, and public roads.

Councilwoman Travis asked Mr. Snedden what his fee structure would be. Mr. Snedden responded with \$175/hr, but would charge the City \$150/hr.

Councilwoman Travis asked what his response time would be since we have had trouble in the past receiving advice in a timely manner. Mr. Snedden answered that he would be sure to have prompt replies and would work diligently to assist the City. Mr. Snedden shared with Council that there are 4 other attorneys in the office and if he was unable to respond that most any issues could be handled by another attorney in the office.

Councilman Darling asked Mr. Snedden if he has worked with DEQ and EPA. Mr. Snedden responded that he has worked with DEQ regarding many issues, but has not worked with EPA very much at all.

Councilman Darling asked Mr. Snedden if there would be a conflict working for DURA. Mr. Snedden shared with Council that if he was appointed as City Attorney that he would resign from DURA.

Councilman Darling asked Mr. Snedden what his experience was with the Attorney General's office. Mr. Snedden responded that he has a good working relationship with Deputy Atty. Gen., Brian Kane.

Councilwoman Shaha asked Mr. Snedden how long he has been attorney for DURA. Mr. Snedden told Council that he has been the Attorney for DURA for approximately 3yrs, while with DURA he has worked with Dover Bay with respect to issues including but not limited to plats and re-plats, and sanitary lifts. Mr. Snedden told Council that there could be a possible conflict if the City was to challenge issues with DURA that he was involved with while with DURA.

Councilwoman Burge asked Mr. Snedden what other contracts or companies are you currently with and would there be potential conflicts? Mr. Snedden responded that he couldn't think of any conflicts at this time, nor do I foresee any conflicts in the near future.

Councilwoman Burge asked Mr. Snedden if he would be handling the mediation with Dover Bay. Mr. Snedden answered that it was his understanding that Susan Weeks would still be working on the mediation issues with Dover Bay, and deferred the question to the Mayor.

Mayor Curless answered that Susan Weeks would want the new attorney on board with the issues regarding the current mediation with Dover Bay. Mr. Snedden told Council that he would agree that mediation is a good process, especially for focusing on solutions.

Councilwoman Travis asked Mr. Snedden what his strongest skills would be for City Attorney. Mr. Snedden answered that he takes pride in his work, works very hard, enjoys his work and relishes a challenge, which it looks like the City has a few challenges. Mr. Snedden stated that his goal would be to educate Council as to the laws and then let Council make the decisions.

Councilman Darling asked Mr. Snedden what he saw as a Councilperson for the City of Sandpoint. Mr. Snedden answered that he could see that being a City Attorney is a difficult task and that there are many different working styles.

Councilman Darling asked Mr. Snedden what were some of the good things that happened while on the Council? Mr. Snedden recalls for Council that there were a lot of contentious issues, but the City Attorney assisted Council in resolving old and longtime issues, for example the 99yr lease at the Cedar Street Bridge was resolved after 10yrs.

Councilwoman Burge asked what would be your degree of participation in development of ordinances and resolutions. Mr. Snedden answered that he would review for legal issues and would see any obvious language that needed changing along with any typos, but would insist that all ordinances be reviewed for legalities.

Councilwoman Burge stated, ok, the City would write the ordinances, so what would you do if you found objectionable language? Mr. Snedden answered that he would give Council his suggestions for different language for legal reasons.

Councilwoman Burge asked Mr. Snedden what his experience was when it comes to ordinance review. Mr. Snedden answered that he reviews contracts and cases daily, it is just part of his daily routine and that ordinances are not much different.

Councilwoman Burge asked Mr. Snedden which issue or task he thought he was least qualified to do for the City? Mr. Snedden answered that he saw nothing at this time, that there may always be areas that come up, but that he would work through it and has no problem learning.

Councilwoman Burge stated that she had no other questions.

Councilwoman Travis asked Mr. Snedden that since he is local, would he consider waiving travel time on his billing. Mr. Snedden answered that he would.

Mayor Curless asked Mr. Snedden if he had experience in representing other Cities. Mr. Snedden answered that he has represented other cities.

Councilwoman Burge asked Mr. Snedden to expand on that. Mr. Snedden answer by stating he has worked on many contracts, MOU's and MOA's and advised cities on land issues.

Mayor Curless stated that he had nothing further.

Councilwoman Travis stated that she had no further questions.

A motion was made by Councilwoman Shaha to move forward with a Council vote to appoint Stephen Snedden as City Attorney, Councilwoman Burge seconded, all in favor by roll call vote:

Councilwoman Shaha Aye

Councilman Darling Aye

Councilwoman Travis Aye

Councilwoman Burge Aye

Motion carried, Stephen Snedden is appointed City Attorney.

ADJOURNMENT

A motion was made by Councilman Darling to adjourn the Special Meeting, Councilwoman Travis seconded, all in favor, motion carried.

Mayor Curless adjourned the Special Council Meeting at 9:40 p.m.

Kym Holbert, City Clerk